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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

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11 DEMAR RAHYMES BARNES,

12 Petitioner,

13 vs.

14 D.W. NEVEN, *et al.*,

15 Respondents.

Case No. 2:14-cv-01946-RFB-PAL

ORDER

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17 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254
18 by a Nevada state prisoner. Petitioner has submitted a motion for leave to proceed *in forma pauperis*
19 and a petition for a writ of habeas corpus. Based on the information regarding petitioner's financial
20 status, the motion to proceed *in forma pauperis* is denied. Petitioner must pay the \$5.00 filing fee for
21 habeas corpus actions. 28 U.S.C. § 1914(a). Petitioner shall be given an opportunity to pay the fee in
22 this action.

23 **IT IS THEREFORE ORDERED** that the motion for leave to proceed *in forma pauperis* (ECF
24 No. 1) is **DENIED**. Petitioner shall have **thirty (30) days** from the date this order is entered in which
25 to have the \$5.00 filing fee sent to the Clerk. Failure to do so may result in the dismissal of this action.

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1 **IT IS FURTHER ORDERED** that the Clerk **SHALL SEND** petitioner two copies of this
2 order. Petitioner is ordered to make the necessary arrangements to have one copy of this order attached
3 to the check in the amount of the \$5.00 filing fee.

4 **IT IS FURTHER ORDERED** that the Clerk shall **RETAIN** the petition but not file it at this
5 time.

6 **DATED** this 20th day of January, 2015.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE